

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ASHLEY SMITH,
Plaintiff,

v.

ABIGAIL M. ROBERTS, individually :
and in her capacity as a police officer :
for the Harrisburg Police Bureau, :

Defendant.

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Civil No. 1:18-CV-1957

Judge Sylvia H. Rambo

ORDER

For the reasons set forth in the accompanying memorandum, **IT IS HEREBY ORDERED** that Defendant Abigail M. Roberts' motion to dismiss for failure to state a claim (Doc. 3) is hereby **GRANTED** as follows:

1. Count 1 is dismissed **WITH PREJUDICE**;
2. Counts 2 and 3 are dismissed **WITHOUT PREJUDICE**; and
3. To the extent the complaint raises claims against the City of Harrisburg or the Harrisburg Police Department, those claims are dismissed **WITH PREJUDICE**.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: April 29, 2019